

APR 10, 1999 - Missing Parts & Surcharge:

Declaration  
Assignment  
Filing Fees  
Verified Statement

SEPT 10, 1999 - ESP W/5EXT

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

FIRST NAMED APPLICANT

ATTORNEY DOCKET NO./TITLE

09/234,847 01/22/99 LEVY

S PKZ-013CP

000959

0242/0210

LAHIVE & COCKFIELD  
28 STATE STREET  
BOSTON, MA 02109

NOT ASSIGNED

COPY

1614



DATE MAILED:

02/10/99

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a  
☐ small entity (statement filed) ☒ non-small entity is \$ 3,190.00.

☒ 1. The statutory basic filing fee is:

- ☒ missing.  
☐ insufficient.

Applicant must submit \$ 760.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27). 2,300.00

☐ 2. Additional claim fees of \$ 2,300.00, including any multiple dependent claim fees, are required.

\$ 78.00 for independent claims over 3.

\$ 1,962 for 107 dependent claims over 20.

\$ 200.00 for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unexecuted.  
☐ does not cover the newly submitted items.  
☐ does not identify the application to which it applies.  
☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

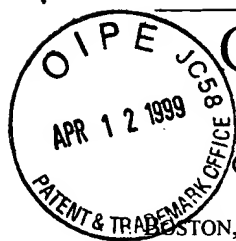
☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

777-7777  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

RECEIVED LAHIVE & COCKFIELD FEB 16 1999 BY <u>MR</u>
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CYNTHIA M. SOROOS  
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JENNIFER L. ELLIOTT, Ph.D.  
LAUREN C. FOSTER, D.Sc.

Receipt  
#6

April 9, 1999

Assistant Commissioner of Patents  
Washington, D.C. 20231

APR 15 1999  
GROUP 18

Attn: *Application Processing Division*  
*Correction Branch*

Re: U.S. Patent Application No. 09/234,847 Filed January 22, 1999  
Title: *Pharmaceutically Active Compounds and Methods of Use Thereof*  
Inventors: Stuart B. Levy and Mark L. Nelson  
Attorney Docket No.: PKZ-013CP

Dear Sir:

I enclose herewith for filing in the above-identified application:

1. Request for Correction of Filing Receipt;
2. Copy of Filing Receipt with Noted Correction; and
3. Pre-paid Return Postcard.

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. *A duplicate of this sheet is enclosed.*

**Certificate of First Class Mailing (37 CFR 1.8(a))**

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Application Processing Division, Correction Branch, Washington, DC 20231 on:

April 9, 1999

Date

Nicholas P. Triano, III

Registration No. 36,397

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

Nicholas P. Triano, III  
Registration No. 36,397  
Attorney for Applicants



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In application of: Stuart B. Levy *et al.*

Application No.: 09/234,847

Filed: January 22, 1999

For: *Pharmaceutically Active Compounds and  
Methods of Use Thereof*

Attorney Docket No.: PKZ-013CP

Group Art Unit: 1614

Examiner: Not Yet Assigned

Assistant Commissioner for Patents  
Washington, D.C. 20231

Attn: Application Processing Division  
Correction Branch

**REQUEST FOR CORRECTION OF FILING RECEIPT**

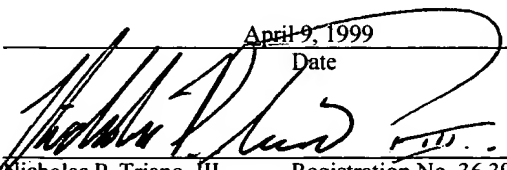
Dear Sir:

The Filing Receipt for the above-identified patent application misspells the fifth word within the title of the invention as:

**Mehtods** instead of **Methods**

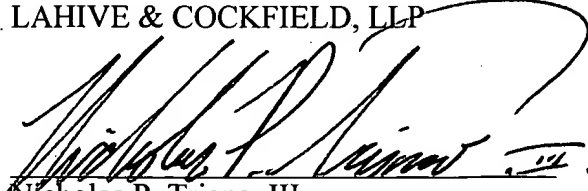
A copy of the Filing Receipt with this change noted thereon is submitted. Applicant respectfully requests a corrected PTO-103X Filing Receipt.

Since this error was on the part of the U.S. Patent and Trademark Office, no fees are believed due to effect the requested correction. However, if fees are due in connection with this request, please charge them to our Deposit Account No. 12-0080.

<b>Certificate of First Class Mailing (37 CFR 1.8(a))</b>	
I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Application Processing Division, Correction Branch, Washington, DC 20231 on:	
	April 9, 1999 Date
Nicholas P. Triano, III	Registration No. 36,397

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

  
Nicholas P. Triano, III  
Registration No. 36,397  
Attorney for Applicants

FILING RECEIPT



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/234,847	01/22/99	1614	\$0.00	PKZ-013CP	0	29	4

000959

LAHIVE & COCKFIELD  
28 STATE STREET  
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COPY

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Application Processing Division's Customer Correction Branch within 10 days of receipt. Please provide a copy of the Filing Receipt with the changes noted thereon.

**Applicant(s)**

STUART B. LEVY, BOSTON, MA; MARK L. NELSON, WELLESLEY, MA.

CONTINUING DATA AS CLAIMED BY APPLICANT-  
PROVISIONAL APPLICATION NO. 60/072,262 01/23/98

FOREIGN FILING LICENSE GRANTED 02/08/99

TITLE

PHARMACEUTICALLY ACTIVE COMPOUNDS AND ~~METHODS~~ OF USE THEREOF

PRELIMINARY CLASS: 514

Methods

FEB 16 1999

KUR

DATA ENTRY BY: MIDDLETON, MATTIE

TEAM: 04 DATE: 02/08/99

(see reverse)

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LAUREN C. FOSTER, D.Sc.

\$ SECURE



April 9, 1999

BOX MISSING PARTS  
Assistant Commissioner of Patents  
Washington, D.C. 20231

Re: U.S. Patent Application Serial No. 09/234,847  
Title: *Pharmaceutically Active Compounds and Methods of Use Thereof*  
Filed: January 22, 1999  
Inventor: Stuart B. Levy *et al.*  
Attorney Docket No. PKZ-013CP

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Response to Notice to File Missing Parts of Application;
2. Copy of Notice to File Missing Parts of Application (PTO Form-1533);
3. Executed Declaration, Petition and Power of Attorney;
4. Executed Verified Statement Claiming Small Entity Status;
5. Check for \$1,694.00 including \$380.00 (filing fee), \$1,249.00 (claim fee) and \$65.00 (surcharge) based on small entity status; and
6. Pre-paid return postcard.

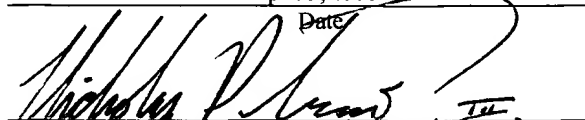
Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. *A duplicate of this sheet is enclosed.*

**Certificate of First Class Mailing (37 CFR 1.8(a))**

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Application Processing Division, Correction Branch, Washington, DC 20231 on:

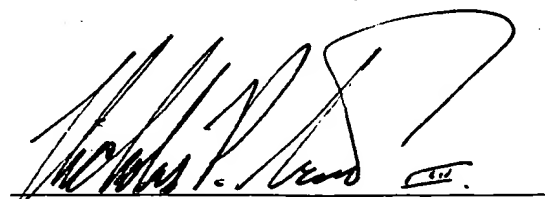
April 9, 1999

Date

  
Nicholas P. Triano, III Registration No. 36,397

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

  
Nicholas P. Triano, III  
Registration No. 36,397  
Attorney for Applicants

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Stuart B. Levy *et al.*

Application No.: 09/234,847

Filed: January 22, 1999

For: *Pharmaceutically Active Compounds and  
Methods of Use Thereof*

Attorney Docket No.: PKZ-013CP



Group Art Unit: 1614

Examiner: Not Yet Assigned

**BOX MISSING PARTS**

**Assistant Commissioner of Patents and Trademarks  
Washington, D.C. 20231**

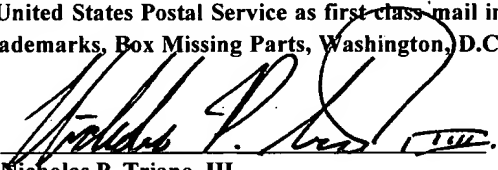
**Certificate of First Class Mailing**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents and Trademarks, Box Missing Parts, Washington, D.C. 20231 on the date set forth below.

April 9, 1999

Date of Signature and of Mail Deposit

By:

  
Nicholas P. Triano, III  
Registration No. 36,397  
Attorney for Applicants

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

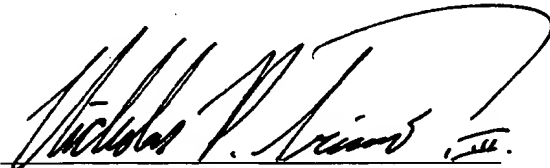
Dear Sir:

Responsive to the Notice to File Missing Parts of Application dated February 10, 1999, Applicants' attorney submits herewith the *executed* Declaration, Petition and Power of Attorney for Patent Application for the above-identified patent application. A check in the amount of \$1,694.00 is enclosed to cover the total amount owed by Applicants including \$65.00 surcharge, \$380.00 basic filing fee and \$1,249.00 claim fee based on small entity status. An *executed*

Verified Statement Claiming Small Entity Status is being filed concurrently herewith. A copy of Form PTO-1533 is also enclosed.

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. *A duplicate of this letter is enclosed.*

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Nicholas P. Triano, III". The signature is fluid and cursive, with a large loop at the end.

Nicholas P. Triano, III  
Registration No. 36,397  
Attorney for Applicants

LAHIVE & COCKFIELD, LLP  
28 State Street  
Boston, MA 02109  
Tel. (617) 227-7400

Dated: **April 9, 1999**